## MAR 1 5 2010

## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

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SYLVESTER RICHARDSON,	) Civil Action No. 7:10-cv-00078	
Plaintiff,	)	
	)	
v.	)	<u>ORDER</u>
	)	
WARDEN TRACY RAY, <u>et al.</u> ,	)	By: Hon. James C. Turk
Defendants.	)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

## **ORDERED**

that the complaint is **DISMISSED without prejudice**, pursuant to 28 U.S.C. § 1915(g), and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This \_\_\_\_\_\_ day of March, 2010.

James lo Zun Senior United States District Judge